

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

WAYMO LLC,  
Plaintiff,

v.

UBER TECHNOLOGIES, INC., et al.,  
Defendants.

Case No. [17-cv-00939-WHA](#) (JSC)

**ORDER DENYING MOTION FOR  
RECONSIDERATION**

Re: Dkt. No. 2399

Non-party Richard Jacobs' motion for reconsideration is DENIED. Waymo may take Mr. Jacobs deposition up to seven hours and Uber may have up to two hours for a total of nine hours. While Mr. Jacobs is not a party to this action, in the midst of this highly contentious and public lawsuit he made written allegations that he had to have known might be relevant to this lawsuit. And, again, in the midst of this lawsuit, he agreed to a settlement of his allegations for millions of dollars. Thus, that he has been dragged into this lawsuit should not have been unexpected. His protest that his allegations are not relevant to this lawsuit is not persuasive given that the trial was continued and discovery reopened precisely because of his written allegations, allegations which the United States Attorneys Office thought sufficiently relevant to this lawsuit that it brought them to the district court's attention. Further, although his settlement agreement requires him to cooperate with any Uber internal investigation, the Court's review of his testimony before the district court persuades the Court that Uber should be allowed up to two hours to question him under oath at a deposition.

This Order disposes of Docket No. 2399

**IT IS SO ORDERED.**

Dated: December 15, 2017

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JACQUELINE SCOTT CORLEY  
United States Magistrate Judge